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OFFICE OF PETITIONS

In re Application of :
Myrhum, et al. :
Application No. 10/053,797 : ON PETITION
Filed: January 18, 2002 :
Attorney Docket No. 11739 :
For: GOLF CLUB WOODS WITH WOOD CLUB
HEAD HAVING A SELECTABLE CENTER OF
GRAVITY AND A SELECTABLE SHAFT

This is a decision on the petition, filed June 17, 2005 (certificate of mailing date June 14, 2005), under 37 CFR 1.137(f), which is being treated as a petition under 37 CFR 1.137(b) to revive the instant nonprovisional application.

The petition under 37 CFR 1.137(b) is **GRANTED**.

Petitioners stat that the above-identified nonprovisional application is the subject of an application filed in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after the filing. This satisfies the rescission requirement. However, the U.S. Patent and Trademark Office was unintentionally not notified of this filing within 45 days subsequent to the filing of the subject application in a foreign country or under a multilateral international agreement that requires publication of applications 18 months after filing.

In view of the above, this application became abandoned pursuant to 35 U.S.C. § 122(b)(2)(B)(iii) and 37 CFR 1.213(c) for failure to timely notify the Office of the filing of an application in a foreign country or under a multilateral international agreement that requires publication of applications 18 months after filing.

A petition under 37 CFR 1.137(b) to revive for failure to timely notify the Office of the filing of

an application in a foreign country must be accompanied by:

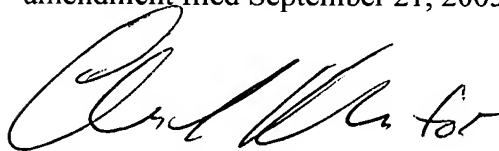
- (1) the required reply, which is met by the notification of such filing in a foreign country or under a multinational treaty;
- (2) the petition fee as set forth in 37 CFR 1.17(m); and
- (3) a statement that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition was unintentional.

The instant petition has been found to be in compliance with 37 CFR 1.137(b). Accordingly, the failure to timely notify the Office of a foreign or international filing within 45 days after the date of filing of such foreign or international application as provided by 35 U.S.C. § 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is accepted as having been unintentionally delayed.

The petition is granted.

Any inquiries concerning this decision may be directed to the undersigned at (571) 272-3230.

This application is being returned to Technology Center 3711 for consideration of the amendment filed September 21, 2005.

A handwritten signature in black ink, appearing to read 'E. Shirene Willis', is written over the printed name.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy